THE HONOURABLE SHRI JUSTICE R.SUBHASH REDDY

WRIT PETITION No. 33962 OF 1998

Dated 11th April, 2007

Between:

T.Bala Kondala Rao

…Petitioner

And

Government of Andhra Pradesh, represented
by its Secretary, Industries & Commerce Department,
Secretariat, Hyderabad and others.

…Respondents.

ORAL ORDER:

This writ petition is filed questioning the orders of the Deputy Director of Mines and Geology, Kurnool dated 7.11.1998 passed in Proceedings No. 2166/Q1/97, dated 7.11.1998, by which, the lease granted to the petitioner to quarry road metal over an extent of 4 hectares in Survey No. 756 of Nemakal village, Chippagiri Mandal o f Kurnool District was cancelled. As against the order dated 7.11.1998, the petitioner preferred appeal before the Director of Mines and Geology, Hyderabad, who by proceedings dated 28.11.1998 dismissed the appeal preferred by the petitioner.

As against the orders of the primary authority as confirmed by the appellate authority, the petitioner preferred revision before the Government and during the pendency of the revision, the petitioner has come up with the writ petition when interim orders are not passed. This court, at the stage of admission, by order dated 7.12.1998, suspended the orders passed by the Deputy Director of Mines and Geology, Kurnool as also the orders passed by the Director of Mines, Hyderabad.

When the matter has come up on the last occasion on 4.4.2007, learned Government Pleader was granted time to verify the status of the Revision Petition said to have been filed by the petitioner. Today, it is submitted by the learned Government Pleader appearing for the respondents that the revision petition filed by the petitioner is still pending consideration and the same is not disposed of finally.

As much the orders of determination of lease, as affirmed by the appellate authority, are subject matter of the revision petition,

which is pending, it is not desirable to go into the merits of the case at this stage. The orders of determination were suspended by this court as early as on 7.12.1998 and the said order continued all along. In that view of the matter, I deem it appropriate to dispose of the writ petition directing the revisional authority to dispose of the revision petition filed by the petitioner against the order dated 7.11.1998 passed by the Deputy Director of Mines and Geology, Kurnool and order dated 28.11.1998 passed by the Director of Mines and Geology, Hyderabad, as expeditiously as possible, and, preferably, within a period of two months from the date of the receipt of a copy of this order. However, the interim order granted by this court on 7.12.1998 shall continue to operate for a period of two months.

Subject to above direction, the writ petition is disposed of. No costs.

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11-4-2007

R.SUBHASH REDDY, J.

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